IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SEVENTEENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

AND
THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION No.20194 of 2004

Between:

Smt. Jaya Vindyala, W/o. Narayana Swamy,
Advocate-Cum-General Secretary for PEOPLES UNION FOR CIVIL LIBERTIES, A.P.
R/o. H. No. 16-8-908/7, Malakpet, Hyderabad - 24.

..... PETITIONER

AND

1 Union of India, rep. by its Secretary,
Ministry of Environment & Forest New Delhi.
2 The Central Water Commission,

rep. by its Chairman, New Delhi.
3 Union of India, rep. by its Secretary,
Agricultural Department, New Delhi.
4 State of A.P., rep. by Principal Secretary,

Irrigation & CAD Department,
Secretariat, Hyderabad.
5 A.P. Pollution Control Board, rep. by its Member Secretary,
Mythrivanam, Huda Complex, Ameerpet, Hyderabad.
6 The Superintending Irrigation & CAD Department, Pulichintala

Project Circle, D.No. 29-19-39, 2nd Floor, Dornakal Road,

Suryaraopet, Vijayawada.
7 The District Collector, Nalgonda District, Nalgonda.

8 The District Collector, Mahaboobnagar District, Mahaboobnagar.
9 The District Collector, Kurnool District, Kurnool.
10 The District Collector, Guntur District, Guntur.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an order, direction or a Writ more particularly in the nature of Writ of Mandamus by declaring the action of the respondents in commencing the Pulichintala project without obtaining consensus of the Mahaboobnagar, Nalgonda, Kurnool and Guntur people, without appointing a committee of intellectuals, social activists and other committees representing the farmer community of those Districts and without obtaining the clearance of the pollution and environment and Central Water Commission authorities and declare such action as arbitrary, discriminatory, without application of mind to the natural and social rights of the people having preferential rights over the Krishna river, illegal being violative of Articles 14 & 21 of the Constitution of India and consequently direct the respondents to appoint a committee of 16 persons representing farmer community of all the 4 districts stated above, and to proceed further only on the basis of consensus and after fulfilling the mandatory requirements before commencement of such project involving and affecting all the regions concerned.

Counsel for the Petitioner: Mr.KRISHNA DEVAN

Counsel for Respondent Nos.1 to 3: Mr.A.RAJASEKHAR REDDY,

SC FOR CG.

Counsel for Respondent Nos.4 & 6 to 10: ADVOCATE GENERAL.

Counsel for Respondent No.5: Mr.S.V.BHATT,

S.C.FOR POLLUTION CONTROL BOARD.

The Court at the admission stage made the following :

ORAL ORDER: (per the Hon'ble the Chief Justice)

In view of the judgment delivered by us today in Writ Petition No.17803 of 2004, no orders are required to be passed in this writ petition and we hereby close the same.

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(DEVINDER GUPTA, C.J.)

17th November 2004.

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(C.V.RAMULU, J.)

ARS

To

1. The Secretary, Union of India, Ministry of Environment & Forest

New Delhi.
2.The Chairman, Central Water Commission, New Delhi.
3.The Secretary, Union of India, Agricultural Department, New Delhi.
4.The Principal Secretary, State of A.P., Irrigation & CAD Department, Secretariat, Hyderabad.
5.The Member Secretary, A.P. Pollution Control Board, Mythrivanam, Huda Complex, Ameerpet, Hyderabad.
6.The Superintending Irrigation & CAD Department, Pulichintala

Project Circle, D.No. 29-19-39, 2nd Floor, Dornakal Road,

Suryaraopet, Vijayawada.
7.The District Collector, Nalgonda District, Nalgonda.
8.The District Collector, Mahaboobnagar District, Mahaboobnagar.
9.The District Collector, Kurnool District, Kurnool.
10.The District Collector, Guntur District, Guntur.

11.Two CCs to the Advocate General, High Court Bldgs., Hyderabad (OUT).

12.Two CD copies.